

**MINUTES OF THE JOINT EXECUTIVE COMMITTEE MEETING  
FEBRUARY 23, 2005, 4:00 P. M.  
Room W135, West Office Building, State Capitol Complex**

Members Present:            Sen. Lyle Hillyard, Committee Co-Chair  
                                 Rep. Ron Bigelow, Committee Co-Chair  
                                 Sen. Gene Davis  
                                 Sen. Mike Dmitrich  
                                 Sen. Dan Eastman  
                                 Sen. Beverly Evans  
                                 Sen. Karen Hale  
                                 Sen. Peter Knudson  
                                 Pres. John Valentine  
                                 Rep. Ralph Becker  
                                 Speaker Greg J. Curtis  
                                 Rep. Ben C. Ferry  
                                 Rep. Patricia W. Jones  
                                 Rep. Brad King  
                                 Rep. Roz McGee  
                                 Rep. Stephen H. Urquhart

                                 Sen. Curtis Bramble, Vice-Chair  
                                 Rep. David Clark, Vice Chair

Members Absent:            Sen. Ron Allen  
                                 Rep. Jeff Alexander

Staff Present:                John Massey, Legislative Fiscal Analyst  
                                 Michael Kjar, Deputy Director, Office of Legislative Fiscal Analysts  
                                 Bonnie Brinton, Secretary  
                                 Norda Shepard, Secretary

A list of visitors is filed with the committee minutes.

Committee Co-Chair Bigelow called the meeting to order at 4:33 p.m.

**1.     Approval of Minutes**

**MOTION:** Sen. Hillyard moved to approve the minutes of 2-09-05.

Rep. Becker indicated that he did not make the substitute motion on page 3. It was determined that the motion was made by Rep. Alexander.

The minutes as corrected were unanimously approved with Sen. Dmitrich absent for the vote.

**2.     Budget Issues**

**MOTION:** Sen. Hillyard moved to adopt the February consensus revenue estimates for FY 2005 and FY 2006 as indicated on the attached sheet dated February 23, 2005.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Sen. Hillyard moved to authorize the use of one time funds and transfers in FY 2005 and FY 2006 as indicated on the attached sheet dated February 23, 2005.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Sen. Hillyard moved to authorize funding of the items identified on the attached list dated February 23, 2005 entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

**SUBSTITUTE-MOTION:** Rep. Jones moved to appropriate \$300,000 one-time from the General Fund for Aging Waiver Services in the Division of Aging and Adult Services for FY 2006 and further moved to reduce Line Item 158 in the Draft SB 1 by \$300,000, General Fund, One-Time.

The substitute motion failed with Sens. Davis, Eastman, Evans, Hale, Knudson, and Valentine, and Reps. Becker, Jones, King and McGee voting in favor; Sen. Hillyard and Reps. Bigelow, Curtis, Ferry and Urquhart voting in opposition with Sen. Dmitrich absent for the vote.

**SUBSTITUTE-MOTION:** Rep. Becker moved to appropriate \$400,000 from the General Fund for FY 2006 to the Department of Health-Epidemiology and Laboratory Services -Communicable Disease Control and further moved to reduce Line Item 158 on the green sheet by \$300,000 General Fund, one-time.

The substitute motion failed with Sens. Hillyard, Eastman, Evans, Knudson, and Valentine, Rep. Bigelow, Curtis, Ferry and Urquhart voting in opposition; Sen. Hale, Rep.s Becker, Jones, King and McGee voting in favor and Sen. Dmitrich absent for the vote.

**SUBSTITUTE-MOTION:** Rep. McGee moved to appropriate \$1.5 million from one-time General Funds and \$1.5 million on-going General Funds for FY 2006 for local mental health centers through the Division of Substance Abuse and Mental Health to replace Medicaid funds no longer available to treat indigent non-Medicaid eligible clients and further moved to reduce Line 138 on the attached Green Sheet to \$18,500,000 General Fund and \$28,500,000 General Fund, one-time.

The motion failed with Sens. Hillyard, Davis, Eastman, Evans, and Valentine, Reps. Bigelow, Curtis, King and Urquhart voting in opposition; Sen. Hale and Reps. Ferry, Jones, King and McGee voting in favor and Sen. Dmitrich absent for the vote.

**SUBSTITUTE-MOTION:** Rep. Becker moved to appropriate \$500,000 one time from the General Fund for FY 2006 to the Department of Natural Resources - Park and Recreation Capital - Trail Grants and further moved to reduce line 138 in the attached green sheet by \$500,000.

The motion failed with Sens. Hillyard, Eastman, Evans, Knudson and Valentine, Reps. Bigelow, Curtis, Ferry, King and Urquhart voting in opposition; and Sens. Davis and Hale, Reps. Becker, Jones and McGee voting in favor with Sen. Dmitrich absent for the vote.

The Chair returned to the original motion and Sen. Hale requested that it be divided.

**MOTION:** Sen. Hillyard moved to approve the funding for the Executive Offices and Criminal Justice Subcommittee as indicated on Line 28 of the attached "Recommended Funding for State Programs, FY 2005 - FY 2006."

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Sen. Hillyard moved to approve the funding for the Capital Facilities and Administrative Services Subcommittee as indicated on Line 38 of the attached "Recommended Funding for State Programs, FY 2005 - FY 2006."

The motion passed with Rep. Becker voting in opposition and Sen. Dmitrich absent for the vote.

**MOTION:** Sen. Hillyard moved to approve the funding for the Commerce and Revenue Subcommittee as indicated on Line 50 of the attached "Recommended Funding for State Programs, FY 2005 - FY 2006."

The motion passed with Rep. McGee voting in opposition and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Economic Development and Human Resources Subcommittee Program Funding as shown on Line 64 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Rep. McGee voting against the motion and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Health and Human Services Subcommittee Program Funding as shown on Line 85 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Reps. Becker, Jones, King and McGee voting against the motion and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Higher Education Subcommittee Program Funding as shown on Line 105 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Natural Resources Subcommittee Program Funding as shown on Line 118 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Rep. Becker voting against the motion and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Public Education Subcommittee Program Funding as shown on Line 135 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Reps. Becker, Jones, King and McGee voting against the motion and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Transportation, Environmental Quality & Utah National Guard Subcommittee Program Funding as shown on Line 146 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Sen. Hale and Reps. Becker, Jones, King and McGee voting against the motion and Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Legislature Program Funding as shown on Line 152 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the Other Potential Building Blocks Funding as shown on Line 160 of the attached sheet entitled "Recommended Funding for State Programs FY 2005 and FY 2006."

The motion passed with Sen. Hale and Reps. Becker, Jones and McGee voting against the motion and Sen. Dmitrich and Rep. King absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the intent language for SB 1 as identified on the document dated February 23, 2005, entitled "Consolidated Intent Language - Supplemental Appropriations Act I."

Pres. Valentine asked for clarification on which bill would have the market compensation adjustment. Co-Chair Bigelow said they would be in a different bill.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve the intent language for HB 301 as identified on the document dated February 23, 2005, entitled "Consolidated Intent Language - Supplemental Appropriations Act III."

The motion passed unanimously with Rep. King absent for the vote.

**MOTION:** Co-Chair Hillyard moved to approve DRAFT S.B. 1 and DRAFT H.B. 301 based on the prior motions.

The motion passed unanimously.

**MOTION:** Co-Chair Hillyard moved to adjourn the meeting.

Co-Chair Bigelow adjourned the meeting at 5:10 p.m.

Minutes reported by Bonnie Brinton and Norda Shepard, Committee Secretaries.

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Sen. Lyle W. Hillyard, Co-Chair

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Rep. Ron Bigelow, Co-Chair

Executive Appropriations Committee  
February 23, 2005

2/23/05 3:20 PM

I move to adopt the February consensus revenue estimates for FY 2005 and FY 2006 as indicated below:

	FY 05		FY 06		
	Dec Adopted	Feb Consensus	Difference	Dec Adopted	Feb Consensus
Revenue					
General Fund	1,861,200,000	1,872,900,000	11,700,000	1,933,700,000	1,957,900,000
Uniform School Fund	2,003,000,000	2,039,500,000	36,500,000	2,120,000,000	2,169,500,000
Total	3,864,200,000	3,912,400,000	48,200,000	4,053,700,000	4,127,400,000
Percent incr (decr)		1.25%			1.82%
Permanent School Fund					
Percent incr (decr)	8,900,000	8,900,000	0	8,900,000	8,900,000
		0.00%			0.00%
Transportation Fund					
Percent incr (decr)	391,500,000	393,000,000	1,500,000	398,000,000	402,500,000
		0.38%			1.13%
Mineral Lease					
Percent incr (decr)	72,500,000	79,000,000	6,500,000	74,500,000	78,000,000
		8.97%			4.70%

I move to authorize the use of the following one time funds and transfers in FY 2005 or FY 2006:

	CSF	GF	USF	Total
USOE - non lapsing balances - FY 05				
Loans Receivable - Washington County - FY 06		25,000,000	5,000,000	5,000,000
Shin AG funding Commerce Serv. Fund to GF- FY 05 & FY 06	(449,300)	449,300		25,000,000
FY 2004 surplus set-aside - Courts Witness/Jury Fees		145,900		0
FY 2004 surplus set-aside - IAF		4,442,800		145,900
FY 2004 surplus set-aside - Debt Service			1,682,400	4,442,800
Total		30,038,000	6,682,400	1,682,400
				36,271,100

I move to authorize funding of the items identified on the list dated February 23, 2005 entitled "Recommended Funding for State Programs FY 2005 and FY 2006"

I move to approve the intent language for SB I as identified on the document dated February 23, 2005, entitled "Consolidated Intent Language - Supplemental Appropriations Act I"

I move to approve the intent language for HB 301 as identified on the document dated February 23, 2005, entitled "Consolidated Intent Language - Supplemental Appropriations Act III"



	C	G	Y	Z
1	Recommended Funding for State Programs, FY 2005 - FY 2006			
2				
3				
4			02/23/2005	
5			One-time	Ongoing
6	Potential Expenditures		(275,831,900)	(137,850,100)
7				
8	Item Description		One-time	Ongoing
9	Executive Offices and Criminal Justice Subcommittee			
12	1	UDC - VOI/TIS Building Operations	1,495,400	
13	2	UDC - Contracting Expansion 200 new beds	250,000	4,527,000
14	3	HB288 Executive and Judicial compensation		787,400
15	4	HB213 AG - Asst. Attorneys General Market Comparability		716,000
16	5	HB288 AG - Attorney General Salary Costs		18,200
17	6	UDC - Jail Reimbursement Growth (Interim Study)		524,900
18	8	Courts - leases and contracts		718,800
19	9	UDC - AP & P Leases		217,000
20	10	DPS - leases and contracts	489,300	496,100
21	11	JJS - Caseload Growth Impact	750,000	1,111,800
22	13	AG - Attorney Fee's - David C. Litigation	89,200	
23	18	Gov - Transition	126,000	
24		AG - Shift funding from CSF to GF	449,300	449,300
25		AG - Appropriate from CSF to GF	(449,300)	(449,300)
26		Draper Feasibility Study	150,000	
27		HB208 GOV - IT Staff Retraining	400,000	
28		Subtotal, EOCJ	3,753,900	9,113,800
29				
30	Capital Facilities and Administrative Services Subcommittee			
31	1	DAS - Finance Post Employment Benefits Actuary	50,000	
32	2	DAS - DFCM Administration		1,075,000
33	3	CPB - Capitol Hill O&M	117,000	83,100
34	4	DAS - Archives Digitize Collections	108,700	
35	5	DAS - LeRay McAllister Land Fund	3,000,000	
36		CAP - AR&I 0.2%		8,100,000
37		CAP - O&M Fiscal Note	(1,406,600)	1,723,400
38		Subtotal, CFAS	1,869,200	10,981,500
39				
40	Commerce and Revenue Subcommittee			
41	1	DWS - General Assistance Case Load growth	2,424,300	
42	2	INS - Comprehensive Health Insurance Pool	10,000,000	
43	2	DWS - Childcare Matching Funds	1,393,000	
44	3	DWS - Food Stamp Case Load growth	945,200	
45	4	INS - SIRCONE-gov (COSMOS) Upgrade		67,600
46	4	DWS - Childcare Program Growth		
47	4	INS - Market Conduct Examiner		61,000
48	5	Labor Com. - Safety and Health Officer		\$3,600
49		Labor Com. - AG Charges	23,600	23,600
50		Subtotal, CREV	14,786,100	175,800
51				



	C	G	Y	Z
8		Item Description	One-time	Ongoing
52		<b>Economic Development and Human Resources Subcommittee</b>		
53	1	SB7 DCED - Tourism Marketing & Economic Develop	19,000,000	
54	1	DCED - Centers of Excellence	500,000	500,000
55	2	SB141 DCED - Defense Alliance	5,000,000	
56	2	DCED - Sports Commission		750,000
57	3	DCED - Children's Museum	2,000,000	
58	3	DCED - Manufacturers Extension Partnership	250,000	330,000
59	4	DCED - Olene Walker Housing Trust Fund	500,000	
60	4	DCED - Homeless Trust Fund	500,000	
61	5	DCED - Library Development Grants	200,000	
62	5	DCED - Relocate USU Agri Bldgs	5,000,000	
63	6	DCED - Emergency Food Network	130,000	
64		<b>Subtotal, EDHR</b>	33,080,000	1,580,000
65				
66		<b>Health and Human Services Subcommittee</b>		
67	1	DOH - Medicaid Utilization / Caseload		1,350,000
68	1	DHS - State Hospital Forensic beds	1,252,400	
69	2	DOH - Adult dental restoration	3,832,400	
70	2	DHS - State Hospital Clinical and OSHA Standards	76,300	305,100
71	3	DOH - Medicaid Inflation (Medicare Buy-in)	500,000	
72	3	DOH - Adult Vision Restoration	1,126,600	
73	4	DHS - Autism Program Replace 1-T Approp		50,000
74	4	DHS - Adoption Caseload Growth	801,200	
75	6	DHS - Subst. Abuse Fed. Funds Loss	365,700	
76	6	DOH - Primary Care Grants		397,000
77	7	DHS - DSPD Waiting List		1,000,000
78	8	DHS - DCFS Adoption/Case/Out-of-home Growth		3,000,000
79	9	Local Providers COLA (DHS Only)		1,460,200
80	10	DHS - Meals on Wheels Replace 1-T Approp		200,000
81	13	DHS - DCFS David C Monitoring Costs	269,500	
82		DHS - Mental H. Increase in PASSR Evaluations		87,500
83		DHS - Mental H. Increase in Compentancy Evals		67,600
84		DHR - ORS Fed Incentive Funds Replacement		553,100
85		<b>Subtotal, HHS</b>	8,224,100	8,470,500
86				



	C	G	Y	Z
8		Item Description	One-time	Ongoing
87		<b>Higher Education Subcommittee</b>		
88	1	HB213 USHE Market Comparability (USHE, UCAT & UEN)		2,650,000
89	2	USHE - new facilities O/M	900,000	4,703,900
90	2	USHE - Fuel and Power	5,000,000	5,000,000
91	2	UCAT - Leases	489,300	758,300
92	2	UEN - Replace one-time funding		540,000
93	3	UCAT - Current Year Enrollment Growth		1,500,000
94	3	USHE - CEU Energy Industry Fed Match	225,000	
95	3	UEN - Network Capacity/Reliability	1,500,000	
96	4	USHE - Engineering Initiative	500,000	1,500,000
97	4	USHE - Nursing Initiative	500,000	1,500,000
98	5	USHE - State Match on Fed Financial Aid	265,000	
99	5	USHE - New Century Scholarships	253,600	530,000
100	5	UEN - Convert Ednet to IP Videoconferencing	800,000	
101	5	UCAT - Student Information System	108,000	
102	6	UCAT - Admin Office Support		200,000
103	10	USHE - Institutional Funding Correction		4,800,000
104	11	USHE - USU Climate Center Replace 1-T w/ Ongoing		180,000
105		<b>Subtotal, HED</b>	10,540,900	23,862,200
106				
107		<b>Natural Resources Subcommittee</b>		
108	1	DNR - Fire Suppression Shortfall	1,300,000	
109	2	DNR - Parks Capital	2,000,000	
110	3	DNR - Watershed Development	2,000,000	
111	4	DAF - Marketing Enhancement		100,000
112	5	DNR - Range Creek Security	57,000	104,000
113	6	DNR - New and Existing Parks Ops	(729,500)	729,500
114	6	DAF - ARDL Emergency Loans	1,000,000	
115	7	DNR - Parks & Rec Operations		299,700
116		DAF - Mosquito Abatement		
117		DAF - Fee Reduction - Weights and Measures		40,000
118		<b>Subtotal, NRAS</b>	5,627,500	1,273,200
119				
120		<b>Public Education Subcommittee</b>		
121	1	PED - Teachers' Supplies	6,079,000	
122	1	PED - Electronic High School	200,000	
123	1	PED - Youth in Custody	442,000	
124	2	PED - Online Testing	2,500,000	
125	3	HB188 PED - PEJEP Math/Science Teacher Incentive	2,500,000	2,500,000
126	4	PED - School Building Program	5,000,000	
127	6	USOE - National Geographic Endowment	300,000	
128	7	USOR - Assistive Technology	300,000	
129		USOE - POPS Fine Arts and Sciences (Cap Program)	320,000	
130		USOR - Transitional Services		150,000
131		USOR - Independent Living Centers		100,000
132		PED - Adult Education		1,600,000
133		PED - Additional WPU		10,600,000
134		PED - Charter School Start-up	2,800,000	
135		<b>Subtotal, PED</b>	20,441,000	14,950,000
136				



	C	G	Y	Z
8		Item Description	One-time	Ongoing
137		<b>Transportation, Environmental Quality &amp; UNG Subcommittee</b>		
138	1	UDOT - Ongoing Transportation Funds	30,000,000	20,000,000
139	2	UNG - Armory Maintenance		117,500
140	3	UNG - Armories Fuel & Power		22,400
141	4	UNG - Air Nat Guard Fuel & Power		4,800
142	5	UNG - Tuition Assistance	500,000	
143	7	DEQ - High Level Nuclear Waste Opposition	2,000,000	
144	8	DEQ - Watershed Programs		
145		UDOT - Emergency Sound Mitigation		
146		<b>Subtotal, TEQ</b>	32,500,000	20,144,700
147				
148		<b>Legislature</b>		
149		Dues/Workload	200,000	800,000
150		HB213 Staff MCAs		232,000
151		SB192 USTAR Implementation Study	350,000	
152		<b>Subtotal, Legislature</b>	550,000	1,032,000
153				
154		<b>Other Potential Building Blocks</b>		
155		HB213 State Employee Market Comparability Adjustments		10,870,000
156		Non-DHS Local Providers COLA		396,600
157		Capital Development	108,607,700	35,000,000
158		Rainy Day Transfer	10,351,500	
159		USF Rainy Day Transfer	25,000,000	
160		<b>Subtotal, Other</b>	143,959,200	46,266,600
161				
162		<b>Total Potential Building Blocks</b>	<b>275,331,900</b>	<b>137,850,100</b>
163				



## **Consolidated Intent Language - Supplemental Appropriations Act I**

### **Executive Offices & Criminal Justice**

#### **Governor's Office**

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

#### **Attorney General**

2. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

#### **Attorney General - Contract Attorneys**

3. *The Legislature intends that funds provided for Contract Attorneys shall not lapse.*

#### **Corrections - Corrections Programs & Operations**

4. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### **Corrections - Jail Contracting**

5. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

#### **Juvenile Justice Services - Programs and Operations**

6. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### **Courts - Administration**

7. *It is the intent of the Legislature that the Administrative Office of the Courts: 1) reimburse up to \$100,000 to any private nonprofit organization that, in reliance on representation that certain legal expenses for domestic violence would be reimbursed, has incurred expenses for: (a) legal advice for low income family members and low income victims of domestic violence about family law matters; and (b) legal representation in family law matters in Utah district or juvenile courts to low income family members and low income victims of domestic violence. 2) before reimbursing the monies to the private organization, obtain a written, signed, and dated certification from the organization that the monies were used or will be used exclusively to provide the services of 1(a) and 1(b).*

#### **Courts - Jury and Witness Fees**

8. *It is the intent of the Legislature that the funds for Jury, Witness and Interpreter shall not lapse.*

#### **Public Safety - Public Safety Programs & Operations**

9. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

### **Capital Facilities & Administrative Services**

#### **Administrative Services - Automated Geographic Reference Center**

10. *The Legislature intends that funds provided for the Automated Geographic Reference Center in FY 2005 shall not lapse.*

#### **Administrative Services - DFCM Administration**

11. *The Legislature intends that the \$150,000 General Fund one-time appropriation shall not lapse.*

#### **Administrative Services - Finance Administration**

12. *The Legislature intends that the \$50,000 General Fund one-time appropriation shall not lapse.*

#### **Administrative Services - Finance - Mandated**

13. *It is the intent of the Legislature that funds for the LeRay McAllister Fund shall not lapse.*



**Administrative Services - Purchasing**

14. *It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.*

**Administrative Services - Child Welfare Parental Defense**

15. *It is the intent of the Legislature that funds for the Office of Child Welfare Parental Defense shall not lapse and that those funds shall be used for contracting.*

**ISF - Administrative Services - ISF - Information Technology Services**

16. *The Legislature intends that, under the terms and conditions of Utah Code Annotated 63-38-8.2, \$1,347,000 in capital outlay authority granted to the Division of Information Technology Services for Fiscal Year 2005 shall not lapse. The Legislature intends that this authority will be used for the following projects: Campus Network Expansion; Intrusion Protection System; Microwave Expansion; RACF/UMD Integration; WAN Access Upgrades; WAN Distribution Upgrades.*

**Commerce & Revenue**

**Tax Commission - Tax Administration**

17. *It is the intent of the legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.*

**Workforce Services**

18. *The Legislature does not intend to lapse \$3,000,000 appropriated in Fiscal Year 2005 from the General Fund Restricted - Special Administrative Expense fund for the Electronic resource Eligibility Project (eREP).*

**Labor Commission**

19. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 79 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$50,000 for computer equipment and software.*

**Insurance - Insurance Department Administration**

20. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 85 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$120,000 for computer equipment and software, and \$10,000 for employee training.*

**Public Service Commission**

21. *The Legislature does not intend to lapse the appropriation made by the passage of S. B. 1, Appropriations Act, 2004 General Session, Item 89.*

**Economic Development & Human Resources**

**Community & Economic Development - Business and Travel Development**

22. *It is the intent of the legislature that funding for Division of Business and Economic Development be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 99, of the 2004 General Session.*
23. *It is the intent of the legislature that funding for Travel Council be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 100, of the 2004 General Session.*
24. *It is the intent of the Legislature that \$250,000 General Fund one-time funding appropriated in this item be used to fund the Manufacturer's Extension Partnership.*
25. *It is the intent of the Legislature that funding for Business and Travel Development be nonlapsing.*



## **Health & Human Services - Department of Health**

### **Health - Epidemiology & Lab Services**

26. *Under the terms of UCA 63-38-8.1, the Legislature intends to make nonlapsing item 114, Chapter 256, Laws of Utah 2004. Expenditure of these funds is limited to \$200,000 for laboratory equipment, computer equipment and/or software, and building improvements.*

### **Health - Community & Family Health**

27. *It is the intent of the Legislature that \$75,000 of immunization funding be considered nonlapsing and be used to purchase flu vaccine.*

## **Health & Human Services - Department of Human Services**

### **Human Services - Executive Director Operations**

28. *If funds are available, the Foster Care Citizens Review Board is authorized to not lapse funds at the end of FY 2005. These funds are to be used solely for one-time development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers.*

### **Human Services - Drug Courts/Boards**

29. *It is the intent of the Legislature that funds appropriated for Drug Courts and Drug Boards from the Tobacco Settlement Restricted Account for FY 2005 be non-lapsing.*

### **Human Services - Substance Abuse & Mental Health**

30. *If funds are available, the Division of Substance Abuse and Mental Health is authorized to not lapse up to \$65,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software, capital equipment or improvements, and equipment or supplies.*

### **Human Services - Child and Family Services**

31. *If funds are available, the Division of Child and Family Services is authorized to not lapse up to \$50,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software.*

### **Human Services - Aging and Adult Services**

32. *If funds are available, the Division of Aging and Adult Services is authorized to not lapse up to \$100,000 at the end of FY 2005. These funds are to be used for senior center renovations and to assist with vehicle maintenance and replacements within local area agencies on aging.*

## **Natural Resources**

### **Natural Resources - Forestry, Fire and State Lands**

33. *It is the intent of the Legislature that the \$447,000 funding increase from General Fund Restricted - Sovereign Land Management account for the Special Master be nonlapsing.*
34. *It is the intent of the Legislature that the \$50,000 funding increase from General Fund Restricted - Sovereign Land Management account for remedial action for Rozel Point Oil wells be nonlapsing.*

### **Agriculture - Administration**

35. *It is the intent of the Legislature that the \$150,000 General Fund supplemental appropriation for the Regulatory Services program be nonlapsing.*



## **Transportation & Environmental Quality**

### **National Guard - Utah National Guard**

36. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 219 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Veterans' Cemetery - \$50,000  
Armory Maintenance - \$50,000

### **Transportation - Support Services**

37. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Data Processing - \$300,000

### **Transportation - Engineering Services**

38. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 224 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Engineering Services - \$100,000

### **Transportation - Maintenance Management**

39. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Contractual Maintenance - \$100,000  
Land and Buildings (environmental clean up) - \$200,000  
Land Purchases - \$500,000

### **Transportation - Region Management**

40. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 225 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Region Management - \$100,000

### **Transportation - Equipment Management**

41. Under terms of Section 63-38-8.1 Utah Code Annotated, Item 228 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Equipment Purchases - \$100,000



## **Consolidated Intent Language - Supplemental Appropriations Act III**

### **Executive Offices & Criminal Justice**

#### **Governor's Office**

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*
2. *Notwithstanding the Notary Commission Fees listed in the Annual Appropriations Act (H.B. 1, 2005 General Session), the Legislature approves the following Notary Commission Fees under the terms and conditions of Section 63-38-3 for the use and support of the government of the State of Utah for the Fiscal Year beginning July 1, 2005 and ending June 30, 2006:*
3. *Notary Commission Filing Fee - \$30.00*
4. *Notary Certification - \$15.00*
5. *Rider - \$10.00*
6. *Apostils/Duplicate Certificate - \$10.00*

#### **Attorney General**

7. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

#### **Attorney General - Children's Justice Centers**

8. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

#### **Corrections - Corrections Programs & Operations**

9. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### **Corrections - Department Medical Services**

10. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

#### **Corrections - Jail Contracting**

11. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

#### **Corrections - Jail Reimbursement**

12. *It is the intent of the Legislature that the funds for Jail Reimbursement shall not lapse.*

#### **Juvenile Justice Services - Programs and Operations**

13. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### **Courts - Contracts and Leases**

14. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*

#### **Public Safety - Public Safety Programs & Operations**

15. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

### **Capital Facilities & Administrative Services**

#### **Capital Budget - Capital Improvements**

16. *It is the intent of the Legislature that FY 2006 appropriation increases for Capital Improvements shall not be used for improvements on Utah Department of Transportation facilities.*



## **Commerce & Revenue**

### **Workforce Services**

17. *The Legislature intends that \$5,000,000 be held in reserve for increases in federal mandates associated with the reauthorization of the Temporary Assistance for Needy Families Grant.*

## **Economic Development & Human Resources**

### **Community & Economic Development - Business and Travel Development**

18. *It is the intent of the Legislature that \$330,000 General Fund appropriated in this item be used to fund the Manufacturer's Extension Partnership.*
19. *It is the intent of the Legislature that \$750,000 General Fund appropriated in this item be used to fund the Utah Sports Commission.*
20. *It is the intent of the Legislature that \$300,000 General Fund one-time and \$500,000 General Fund appropriated in this item be used to fund the Centers of Excellence Program.*
21. *It is the intent of the Legislature that funding for Business and Travel Development be nonlapsing.*

### **Community & Economic Development - State Library**

22. *It is the intent of the Legislature that \$200,000 General Fund one-time appropriated in this item be used to fund Library Development Grants.*
23. *It is the intent of the Legislature that funding for the State Library be nonlapsing.*

### **Community & Economic Development - Housing and Community Development**

24. *It is the intent of the Legislature that \$2,000,000 General Fund one-time appropriated in this item be used to fund the Children's Museum.*
25. *It is the intent of the Legislature that funding for Community Development be nonlapsing.*

## **Health & Human Services - Department of Health**

### **Health - Health Systems Improvement**

26. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing.*

## **Health & Human Services - Department of Human Services**

### **Human Services - Svcs for People w/Disabilities**

27. *It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.*
28. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2006 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*



#### Human Services - Child and Family Services

29. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2006 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*

#### Higher Education - Utah Education Network

##### Utah Education Network

30. *The Legislature intends that \$1,500,000 in one-time funds provided for network capacity and reliability be used for multi-year contracts with telecommunications service providers.*
31. *The Legislature intends that funds provided for the Utah Education Network shall not lapse.*

#### Natural Resources

##### Agriculture - Administration

32. *Notwithstanding the fees listed in the Annual Appropriations Act (H.B. 1, 2005 General Session) for the Regulatory Service program of the Department of Agriculture and Food, the Legislature approves the following fees under the terms and conditions of Section 4-2-2(2) for the use and support of the government of the State of Utah for the Fiscal Year beginning July 1, 2005 and ending June 30, 2006:*
33. *Base Food Inspection - Small (Less than 1,000 sq ft / 4 or fewer Employees) - \$20.00*
34. *Base Food Inspection - Medium (1,000-5,000 sq ft, with limited food Processing) - \$80.00*
35. *Base Food Inspection - Large (Food processor over 1,000 sq ft / Grocery store 1,000-50,000 sq ft and two or fewer food processing areas / Warehouse 1,000-50,000 sq ft.) - \$140.00*
36. *Base Food Inspection - Super (Food processor over 20,000 sq ft / Grocery store over 50,000 sq ft and more than two food processing areas / Warehouse over 50,000 sq ft.) - \$280.00*
37. *Base Weights and Measures - Small (1-3 scales, 1-12 fuel dispensers, 1 meter, 1 large scale, or 1-3 scanners) - \$20.00*
38. *Base Weights and Measures - Medium (4-15 scales, 13-24 fuel dispensers, 2-3 meters, 2-3 large scales, or 4-15 scanners) - \$80.00*
39. *Base Weights and Measures - Large (16-25 scales, 25-36 fuel dispensers, 4-6 meters, 4-5 large scales, or 16-25 scanners) - \$140.00*
40. *Base Weights and Measures - Super (26+ scales, 37+ fuel dispensers, 7+ meters, 6+ large scales, or 26+ scanners) - \$280.00*

#### Public Education

##### State Board of Education - State Charter School Board

41. *It is the intent of the Legislature that the State Board of Education use the funds reallocated from the Utah State Office of Education for two full time equivalent (FTE) employee positions at the Education Specialist level to provide staff support to the State Charter School Board in the following areas: technical assistance to charter school applicants, federal grant writing, performance outcome assessment, and financial performance oversight.*



**State Board of Education - Fine Arts and Sciences**

42. *It is the intent of the Legislature that the Fine Arts and Sciences - Professional Outreach Programs in the Schools (POPS) program not be expanded to include additional professional organizations in FY 2006 and that the organizations participating in the program in FY 2005 continue to receive the same level of funding in FY 2006 as long they continue to provide the same level of service and meet the program requirements established by the Board.*
43. *Further, it is the intent of the Legislature that the State Board of Education report to the Education Interim Committee and the Executive Appropriations Committee prior to November 30, 2005 on the Board's long term goals for the programs in the Fine Arts and Sciences line item. The Legislature requests that the Board include the following in its report: (1) how well the programs offered by current participating organizations align with the core curriculum; (2) specific areas in the fine arts and science core curricula that may not be served by professional outreach programs; and (3), potential long term growth and funding needs of the program.*

**Transportation & Environmental Quality**

**National Guard - Utah National Guard**

44. *It is the intent of the Legislature that funds appropriated for tuition assistance for the National Guard be nonlapsing.*

**Environmental Quality**

45. *It is the intent of the Legislature that the funds appropriated for the purpose of addressing high level nuclear waste be non lapsing.*